

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Apr 28, 2022**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

SAMANTHA MARIE TAINEWASHER,

Defendant.

No. 1:21-CR-02029-SAB-1

**ORDER CONTINUING TRIAL**

A pretrial conference was held in the above-captioned matter on April 27, 2022 in Yakima, Washington. Defendant Samantha Marie Tainewasher was present in the courtroom and out of custody; she was represented by Richard Smith and Douglas McKinley. The United States of America was represented by Michael Ellis and Timothy Ohms.

At the hearing, the United States requested the Court continue the trial date because two material witnesses were unavailable on that day. Ms. Tainewasher did not object to a continuance. The Court found that the ends of justice served by such a continuance outweighed the public's and Ms. Tainewasher's interest in a speedy trial, and granted the motion. Ms. Tainewasher also moved for leave to file a reply to the United States' response to her Motion in Limine; good cause being shown, the Court granted this motion as well.

Last, the Court heard oral argument on Ms. Tainewasher's Motion in Limine re: Expert Testimony, ECF No. 43; Response to the Government's Notice re: Federal Rule of Evidence 404(b), ECF No. 54; and Response to the Government's Notice

**ORDER CONTINUING TRIAL \*1**

re: Federal Rule of Evidence 902(11), ECF No. 55. The Court took the motions under advisement. This Order memorializes the Court's ruling.

Accordingly, it is **HEREBY ORDERED**:

1. The United States' Motion to Continue Trial, ECF No. 65, is **GRANTED**.

2. Defendant's Motion to Allow Filing of Defendant's Reply, ECF No. 60, is **GRANTED**.

3. A Motion Hearing on Defendant's Motion to Dismiss Case, ECF No. 56, will be reset at a later date.

4. The current trial date of May 9, 2022 is **STRICKEN** and **RESET** for **Tuesday, June 7, 2022 at 9:00 a.m.** commencing with a final pretrial conference at 8:30 a.m. The trial shall take place in **Yakima**, Washington.

5. All pretrial motions, including motions *in limine* and *Daubert* motions, shall be filed on or before **May 13, 2022** and noted for hearing at the pretrial conference. Any response to a pretrial motion shall be filed and served in accordance with Local Rule 7.1.

6. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the time between May 9, 2022, the current trial date, until June 7, 2022, the new trial date, is **DECLARED EXCLUDABLE** for purposes of computing time under the Speedy Trial Act. The Court finds that the ends of justice served by such a continuance outweigh the public's and Defendant's interest in a speedy trial.

7. Defendant shall file a Speedy Trial Waiver within **seven (7) days** from the date of this Order.

8. Trial briefs, proposed voir dire, jury instructions, verdict forms, exhibit lists, expert witness lists, and summaries of expert testimony shall be filed and served by all parties **on or before seven (7) calendar days** prior to trial. This does not modify the parties' discovery obligations under Fed. R. Crim. P. 16. Absent an

1 agreement between the parties or an Order from the Court, the parties' Fed. R. Crim.  
2 P. 16 discovery deadlines shall be governed by Local Criminal Rule 16.

3 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter  
4 this Order and provide copies to counsel.

5 **DATED** this 28th day of April 2022.



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11 Stanley A. Bastian  
12 Chief United States District Judge  
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